IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 13901 of 1994

Between:

Mirza Abdul Khader Baig, S/o M.A. Khadeer Baig,
R/o H.No.8-5-987, Dharugally,
Nizamabad.

..... PETITIONER

AND

1 The District & Sessions Judge,
Nizamabad, Nizamabad Dist.
2 the Registrar (Adminstration)
High Court of A.P., Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ particularly one in the Nature of writ of Mandamus by declaring the order of the District Judge Nizamabad, in its Proceedings D.Dis No.3946, dt:16-7-94 and consequential posting order in D.Dis No.3947, dt:18-7-94 as illegal bad, arbitrary and contrary to A.P. Civil Service (CCA) Rules, 1991 and also offends Arts, 14, 16, & 21 of the constitutional of India apart from violation of Principles of Natural Justice and pass such other orders.

Counsel for the Petitioner:MR.J.VENUGOPAL RAO

Counsel for the Respondent Nos.1 and 2: Mr. C.V. Nagarjuna Reddy

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

After filing the writ petition, departmental appeal of the petitioner was decided on administrative side by the High Court and the order impugned in the writ petition was modified by partly allowing the petitioner's appeal. The penalty of permanent reversion of the petitioner as Head Clerk was modified to that of withholding of two increments with cumulative effect.

In view of the said order, the present writ petition has been rendered infructuous and is disposed of as such. No costs.

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DEVINDER GUPTA, CJ

Date: 6th October, 2004

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C.V.RAMULU,J

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To

1 The District & Sessions Judge,
Nizamabad, Nizamabad Dist.

2 the Registrar (Adminstration)
High Court of A.P., Hyderabad.

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3. Two C.D. copies